

- 723.404 Dealer's records and reports, excluding cigar tobacco buyers.
- 723.405 Dealers exempt from regular records and reports on MQ-79; and season report for dealers.
- 723.406 Provisions applicable to damaged tobacco or to purchases of tobacco from processors or manufacturers.
- 723.407 Cigar tobacco buyer's records and reports.
- 723.408 Producer's records and reports.
- 723.409 Producer violations, penalties, false identification collections and remittances by dealers, buyers, handlers, warehouses, and other parties; related issues.
- 723.410 Penalties considered to be due from warehouse operators, dealers, buyers, and others excluding the producer.
- 723.411 Records and reports regarding hauling, processing, and storage of tobacco.
- 723.412 Separate records and reports from persons engaged in tobacco related businesses.
- 723.413 Length of time records and reports are to be kept.
- 723.414 Failure to keep records and make reports or making false report or record.
- 723.415 Examination of records and reports.
- 723.416 Information confidential.

**Subpart E—Establishing Burley and Flue-Cured Tobacco National Marketing Quotas**

- 723.501 Scope.
- 723.502 Definitions.
- 723.503 Establishing the quotas.
- 723.504 Manufacturer's intentions; penalties.

AUTHORITY: 7 U.S.C. 1301, 1311–1314, 1314–1, 1314b, 1314b–1, 1314b–2, 1314c, 1314d, 1314e, 1314f, 1314i, 1315, 1316, 1362, 1363, 1372–75, 1421, 1445–1, and 1445–2.

SOURCE: 55 FR 39914, Oct. 1, 1990, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 723 appear at 62 FR 15600, Apr. 2, 1997, and at 63 FR 11585, Mar. 10, 1998.

**Subpart A—General Provisions**

**§ 723.101 OMB control numbers assigned pursuant to the Paperwork Reduction Act.**

The information collection requirements contained in these regulations (7 CFR part 723) have been approved by the Office of Management and Budget (OMB) in accordance with the provisions of U.S.C. chapter 35 and have been assigned OMB control numbers 0560–0058 and 0560–0006.

**§ 723.102 Applicability.**

The regulations contained in this subpart are applicable to the 1990 and subsequent crops of burley; flue-cured; fire-cured; dark air-cured; Virginia sun-cured; cigar-filler and binder (types 42, 43, 44, 54, and 55); and Cigar filler (type 46) tobacco. These regulations govern the establishment of farm marketing quotas and acreage allotments, the issuance of marketing cards, the identification of marketings of tobacco, the collection and refund of penalties and the keeping of records and making of reports. All of the provisions of these regulations apply to each kind of tobacco for which marketing quotas are in effect unless the wording of the text indicates otherwise.

**§ 723.103 Administration.**

(a) The regulations in this part will be administered under the general supervision of the Administrator, Farm Service Agency ("FSA") and shall be carried out in the field by State and county Agricultural Stabilization and Conservation committees ("State and county FSA committees").

(b) State and county FSA committees, and representatives and employees thereof do not have the authority to modify or waive any of the provisions of the regulations of this part.

(c) The State FSA committee shall take any action required by these regulations which has not been taken by the county FSA committee. The State FSA committee shall also:

(1) Correct, or require a county FSA committee to correct any action taken by such county FSA committee which is not in accordance with the regulations of this part, or

(2) Require a county FSA committee to withhold taking any action which is not in accordance with the regulations of this part.

(d) No provision or delegation herein to a State or county FSA committee shall preclude the Administrator, FSA, or a designee, from determining any question arising under the regulations of this part or from reversing or modifying any determination made by a State or county FSA committee. Further, the Administrator or the Administrator's designee may modify any deadline or other provisions of this